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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR			ATTORNEY DOCKET NO.	
09/534,973 03/27/00		BADIN		R	1247-0862-6E	
_			コ	EXAMINER		
QM32/0327 OBLON SPIVAK MCCLELLAND MAIER & NEUSTADT 1755 JEFFERSON DAVIS HIGHWAY 4TH FLOOR			USTADT	WEAVER ART UNI		PAPER NUMBER
ARLINGTON VA	22202			3727 Date Maile	D:	8
					03/	27/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks



Office Action Summary



Application No. 09/534,973

Applicant(s)

Examiner

Sue A. Weaver

Group Art Unit 3727

BADIN ET AL

Responsive to communication(s) filed on	<u> </u>
☐ This action is FINAL .	
☐ Since this application is in condition for allowance except for form in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D.	
A shortened statutory period for response to this action is set to exp is longer, from the mailing date of this communication. Failure to resapplication to become abandoned. (35 U.S.C. § 133). Extensions of 37 CFR 1.136(a).	spond within the period for response will cause the
Disposition of Claims	
	is/are pending in the application.
Of the above, claim(s)	is/are withdrawn from consideration.
Claim(s)	
Claim(s)	
Claim(s)	
Application Papers	,
\square See the attached Notice of Draftsperson's Patent Drawing Rev	view, PTO-948.
☐ The drawing(s) filed on is/are objected to	by the Examiner.
☐ The proposed drawing correction, filed on	_ is □approved □disapproved.
\square The specification is objected to by the Examiner.	
\square The oath or declaration is objected to by the Examiner.	
Priority under 35 U.S.C. § 119	
$oxed{oxed}$ Acknowledgement is made of a claim for foreign priority unde	r 35 U.S.C. § 119(a)-(d).
	priority documents have been
🛛 received.	
received in Application No. (Series Code/Serial Number)	
received in this national stage application from the Inter	
*Certified copies not received:	
☐ Acknowledgement is made of a claim for domestic priority und	der 35 U.S.C. § 119(e).
Attachment(s)	
□ Notice of References Cited, PTO-892	
☐ Information Disclosure Statement(s), PTO-1449, Paper No(s).	
☐ Interview Summary, PTO-413☐ Notice of Draftsperson's Patent Drawing Review, PTO-948	
☐ Notice of Informal Patent Application, PTO-152	
SEE OFFICE ACTION ON THE F	OLLOWING PAGES



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DETAILED ACTION

Election/Restriction

- 1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 1-8, drawn to a glass product, classified in class 215, subclass 40
 - II. Claims 9-14, drawn to a glass making process, classified in class 65, subclass 69.
 - III. Claim 15, drawn to a mold apparatus, classified in class 65, subclass 243.
- 2. The inventions are distinct, each from the other because of the following reasons: Inventions of group II and Group I are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case The product could be blown by hand rather than using the mold in the process of claim 9..
- Inventions of Group III and Group! are related as apparatus and product made. The inventions in this relationship are distinct if either or both of the following can be shown: (1) that the apparatus as claimed is not an obvious apparatus for making the product and the apparatus can be used for making a different product or (2) that the product as claimed can be made by another and materially different apparatus (MPEP § 806.05(g)). In this case the product can me blown by hand rather than using the multiple mold sections set forth in claim 15.



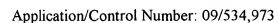
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- 4. Inventions of Group II and Group III are related as process and apparatus for its practice. The inventions are distinct if it can be shown that either: (1) the process as claimed can be practiced by another materially different apparatus or by hand, or (2) the apparatus as claimed can be used to practice another and materially different process. (MPEP § 806.05(e)). In this case The process of Group II does not require the collar mold of claim 15..
- Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.
- Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(I).
- 7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sue A. Weaver whose telephone number is (703) 308-1186 on Tuesday-Friday.

In order to reduce pendency and avoid potential delays, Group 3720 is encouraging Faxing of responses to Office actions directly into the Group at (703) 305-3579. This s practice may b used for filing papers not requiring a fee. It may also be used to file papers which require a fee by



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applicants who authorize charges to a PTO deposit account. Please identify the examiner and Art Unit 3727 at the top of your cover sheet.

Sue A. Weaver Primary Examiner

SW

March 25, 2001